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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAR 20 2018

SEAN F. McAVOY, CLERK
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SPOKANE, WASHINGTON

7 UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF WASHINGTON

9
10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 DUSTIN EARL OGLAND and
14 TREVOR MATHEW HUMMEL,

15 Defendants.

16 4:18-CR-6006-EFS

17 SUPERSEDING INDICTMENT

18 21 U.S.C. § 841(a)(1), (b)(1)(C)
Possession with Intent to Distribute
A Mixture or Substance Containing
A Detectable Amount of Fentanyl
(Count 1)

19 18 U.S.C. § 924(c)(1)(A)
Possession of a Firearm in
Furtherance of Drug Trafficking
(Count 2)

20 21 U.S.C. § 841(a)(1), (b)(1)(B)(vi)
Possession with Intent to Distribute
40 Grams or More of A Mixture or
Substance Containing A Detectable
Amount of Fentanyl (Count 3)

21 21 U.S.C. § 841(a)(1), (b)(1)(C)
Possession with Intent to Distribute
A Mixture or Substance Containing
A Detectable Amount of Cocaine
(Count 4)

18 U.S.C. § 924(c)(1)(A)
Possession of a Firearm in
Furtherance of Drug Trafficking
(Count 5)

21 U.S.C. §§ 841(a)(1),
(b)(1)(A)(vi), 846
Conspiracy to Distribute 400 Grams
or More of A Mixture or Substance
Containing A Detectable Amount of
Fentanyl (Count 6)

21 U.S.C. § 853, 18 U.S.C. § 924(d)
and 28 U.S.C. § 2461(c)
Criminal Forfeiture

The Grand Jury Charges:

COUNT ONE

On or about January 25, 2018, in the Eastern District of Washington, the Defendant, DUSTIN EARL OGLAND, did knowingly and intentionally possess with the intent to distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (aka Fentanyl), a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).

COUNT TWO

On or about January 25, 2018, in the Eastern District of Washington, the Defendant, DUSTIN EARL OGLAND, did knowingly and willfully possess a firearm, to wit: a Taurus 9mm handgun bearing serial number TI084457, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is,

Possession with Intent to Distribute a Mixture or Substance Containing a Detectable Amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (aka Fentanyl), in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), as charged in Count 1, all in violation of 18 U.S.C. § 924(c)(1)(A).

COUNT THREE

On or about March 13, 2018, in the Eastern District of Washington, the Defendant, TREVOR MATHEW HUMMEL, did knowingly and intentionally possess with the intent to distribute 40 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (aka Fentanyl), a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B)(vi).

COUNT FOUR

On or about March 13, 2018, in the Eastern District of Washington, the Defendant, TREVOR MATHEW HUMMEL, did knowingly and intentionally possess with the intent to distribute a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).

COUNT FIVE

On or about March 13, 2018, in the Eastern District of Washington, the Defendant, TREVOR MATHEW HUMMEL, did knowingly and willfully possess a firearm, to wit: a Springfield .45 caliber handgun bearing serial number 282194, in

1 furtherance of a drug trafficking crime for which he may be prosecuted in a court of the
2 United States, that is, Possession with Intent to Distribute 40 Grams or More of a
3 Mixture or Substance Containing a Detectable Amount of N-phenyl-N-[1-(2-
4 phenylethyl)-4-piperidinyl] propanamide (aka Fentanyl), in violation of 21 U.S.C. §
5 841(a)(1), (b)(1)(B)(vi), as charged in Count 3, Possession with Intent to Distribute a
6 Mixture or Substance Containing a Detectable Amount of Cocaine, in violation of 21
7 U.S.C. § 841(a)(1), (b)(1)(C) as charged in Count 4, and Conspiracy to Distribute 400
8 Grams or More of a Mixture or Substance Containing a Detectable Amount of N-
9 phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (aka Fentanyl), in violation of
10 21 U.S.C. § 841(a)(1), (b)(1)(A)(vi) as charged in Count 6, all in violation of 18 U.S.C.
11 § 924(c)(1)(A).
12

13 **COUNT SIX**
14

15 That beginning on a date unknown, but by on or about September 2017, and
16 continuing to on or about March 13, 2018, in the Eastern District of Washington, the
17 Defendants, DUSTIN EARL OGLAND and TREVOR MATHEW HUMMEL, and
18 other individuals, both known and unknown to the Grand Jury, did knowingly and
19 intentionally combine, conspire, confederate and agree together with each other to
20 commit the following offense against the United States, to wit: Distribution of 400
21 Grams or More of a Mixture or Substance Containing a Detectable Amount of N-
22 phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (aka Fentanyl), a Schedule I
23

1 controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(vi); all in violation
2 of 21 U.S.C. § 846.
3
4

5 **NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS**
6

7 1. The allegations contained in this Indictment are hereby re-alleged and
8 incorporated by reference for the purpose of alleging forfeitures pursuant to 21 U.S.C. §
9 853; and/or 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).
10

11 2. Pursuant to 21 U.S.C. § 853 upon conviction of an offense in violation of
12 21 U.S.C. § 841 as set forth in Counts 1 and 6 of this Indictment, Defendant, DUSTIN
13 EARL OGLAND, shall forfeit to the United States of America, any property constituting,
14 or derived from, any proceeds obtained, directly or indirectly, as the result of such
15 offense(s) and any property used or intended to be used, in any manner or part, to commit
16 or to facilitate the commission of the offense(s).
17
18

19 3. Pursuant to 21 U.S.C. § 853 upon conviction of an offense in violation of
20 21 U.S.C. § 841 as set forth in Counts 3, 4 and 6 of this Indictment, Defendant, TREVOR
21 MATHEW HUMMEL, shall forfeit to the United States of America, any property
22 constituting, or derived from, any proceeds obtained, directly or indirectly, as the result
23 of such offense(s) and any property used or intended to be used, in any manner or part, to
24 commit or to facilitate the commission of the offense(s). The assets to be forfeited
25 include, but are not limited to:
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27
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1 -Approximately \$4,204.00 in U.S. currency seized on or about March
2 13, 2018; and

3 -a Springfield .45 caliber handgun, bearing serial number 282194,
4 with a loaded magazine inserted into the gun.

5 4. If any forfeitable property, as a result of any act or omission of the

6 Defendant(s):

7 (a) cannot be located upon the exercise of due diligence;
8 (b) has been transferred or sold to, or deposited with, a third party;
9 (c) has been placed beyond the jurisdiction of the court;
10 (d) has been substantially diminished in value; or
11 (e) has been commingled with other property which cannot be divided
12 without difficulty,

13 the United States of America shall be entitled to forfeiture of substitute property
14 pursuant to 21 U.S.C. § 853(p).

15 5. Pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), upon conviction of
16 an offense in violation of 18 U.S.C. § 924(c)(1)(A) as set forth in Count 2 of this
17 Indictment, Defendant, DUSTIN EARL OGLAND, shall forfeit to the United States of
18 America, any firearms and ammunition involved or used in the commission of the
19 offense.

20 6. Pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), upon conviction of
21 an offense in violation of 18 U.S.C. § 924(c)(1)(A) as set forth in Count 5 of this
22 Indictment, Defendant, TREVOR MATHEW HUMMEL, shall forfeit to the United
23

1 States of America, any firearms and ammunition involved or used in the commission of
2 the offense, including, but not limited to:
3

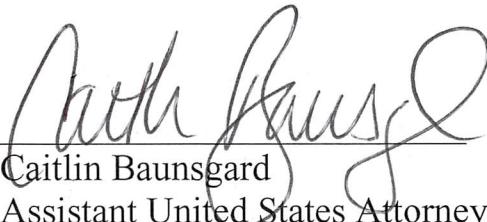
4 A Springfield .45 caliber handgun, bearing serial number 282194,
5 with a loaded magazine inserted into the gun.
6

DATED this 20 day of March 2018.

7 A TRUE BILL
8
9

10 Forenerson
11

12 
13 JOSEPH H. HARRINGTON
14 United States Attorney

15 
16 Caitlin Baunsgard
17 Assistant United States Attorney
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